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Time To Pass A Patients' Bill Of Rights

By **CONGRESSMAN BOB FILNER**
California's 50th Congressional District

Rebecca Morris, a breast cancer survivor from Virginia, was initially denied insurance coverage for her reconstructive surgery following a mastectomy, despite a federal law requiring insurance companies to cover the cost of this procedure. However, due to a legislative oversight, this law is unenforceable.

A number of states now have reconstructive surgery benefits laws providing for strong enforcement, but in states without such laws there is no opportunity to hold insurance plans accountable if they unfairly deny this coverage.

Rebecca's story illustrates the futility of a law that promises "rights," but that is not backed by strong enforcement provisions and a right to sue for adequate damages. Her plight also highlights the need to ensure that all patients benefit from strong and enforceable federal protections.

For seven years, patients like Rebecca, physicians, and other health care advocates have been fighting to pass meaningful managed care reform. I believe that all Americans deserve quality health care and that patients and their doctors should make medical decisions, not Health Maintenance Organization (HMO) bureaucrats. That is why I, along with many Republican and Democratic colleagues, support the bipartisan Ganske-Dingell-Norwood Patients' Bill of Rights.

And we are not alone. According to a recent survey published by the Kaiser Family Foundation in April 2001, public interest and support for a Patients' Bill of Rights is as strong as ever. And the American Medical Association has weighed in strongly in favor of a meaningful measure.

This Patients' Bill of Rights will end the daily abuses of HMOs and managed care health plans. Instead of insurance companies making medical decisions, the Patients' Bill of Rights will empower doctors to make those decisions. Americans have the right to treatment based on medical expediency, not profit margins.

When health plans act negligently they can harm and even kill those they aim to help. Americans hold teachers accountable for education and doctors accountable for medicine—patients have the right to hold health plans accountable for decisions affecting their own health. We must not allow someone in dire need of medical attention to wait for an appointment with a plan doctor. It is inhumane to shut-

tle patients from doctor to doctor, from one costly emergency room to another, searching for a plan-approved facility. Patients have the right to timely access to healthcare and the right to emergency room care at no out-of-pocket cost.



Congressman Bob Filner recently met with officers of SEIU Local 2028 in Washington, D.C. From left: Robert Pirazzini, Treasurer; Filner; Sheila Garrett, President; and Cornelius Hill, Sr., Executive Board Member.

With new leadership in the Senate and continued broad-based support in the House, the time is right to press forward and enact meaningful managed care reform as embodied in the bipartisan Ganske-Dingell-Norwood Patients' Bill of Rights. I will press my colleagues in the House to move quickly on this long-overdue and desperately needed legislation.

The goal of the Patients' Bill of Rights is to return health care decisions to the hands of the rightful decision-makers: patients and their doctors. The American people have waited too long to exercise basic rights regarding the sanctity of our health and we will wait no longer.